

HOLIDAYS ACT REMEDIATION

What is the Holidays Act?

The Holidays Act 2003 (the Act) is the legislation that sets out the minimum leave entitlements that must be provided to all employees in New Zealand. The Act prescribes when employees become entitled to leave, when the leave can be taken and how the leave payment must be calculated for the following leave types: - Annual leave; and - Family violence leave, Bereavement leave, Alternative holidays, Public holidays, Sick leave (colloquially known as FBAPS leave).

What happened?

Non-compliance with the Act is a common issue affecting many organisations across New Zealand. This is mainly due to the complex nature of the legislation leading to incorrect interpretation and application of the Act, including configuration of the payroll system. In recognition of these challenges, Tetra Tech Coffey have proactively engaged with independent specialists to perform a review of statutory leave calculations from 1 June 2015 to 15 July 2023. As a result of the analysis, we have identified that some employees have been underpaid and are entitled to a back payment. This includes individuals who are no longer employed by Tetra Tech Coffey.

Have I been affected?

The identified issues may impact employees employed by Tetra Tech Coffey and NDY between 1 June 2015 and 15 July 2023. This means that not all employees who worked during this period would have been impacted by the identified issues, and the size of the impact for each employee is variable and dependent on their specific working patterns.

I am a former employee. How do I know if I have been impacted?

An assessment has been completed on past employees to understand if they have been impacted. Tetra Tech Coffey will reach out directly to former employees that are due a remediation payment and advise them of the claims process. Contact will be attempted via the past known email and mailing address on record.

Alternatively, if you believe you could be impacted but have not received an email or letter, then you can contact Tetra Tech Coffey at holidayact@tetratech.com

If I am impacted, what will happen?

There is a process in place that will require validation of your identity and confirmation of other details such as your bank account. This process will be open to submission of documents and can be done within a period of 12 months after which unclaimed amount will be submitted to IRD